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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR03-304 JCC
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 SHAWN LOUIS NELSON,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on November 1, 2007. The United States was represented by AUSA Bruce Miyake and the
16 defendant by Walter Palmer. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about December 12, 2003 by the Honorable John C.
18 Coughenour on a charge of Possession of Stolen Mail and sentenced to 30 months custody, 3
19 years supervised release. (Dkt. 39) On December 10, 2004, an amended judgment was entered,
20 reducing the period of custody to 24 months, with 3 years supervised release on the original
21 conditions. (Dkt. 41.)

22 The conditions of supervised release included the standard conditions plus the requirements

01 that defendant participate in mandatory drug testing, participate in a substance abuse treatment
02 program, abstain from alcohol, submit to search, provide access to financial information, not
03 obtain new credit without permission, maintain a single checking account for all financial
04 transactions, allow inspection of any personal computer, disclose any business interests, disclose
05 all assets and liabilities, not possess any identification documents in any but his true identity, report
06 all software owned and purchased to probation officer, and pay restitution in the amount of
07 \$13,127.67.

08 On November 23, 2005, the defendant admitted to violating the conditions of supervised
09 release by committing a crime, failing to notify his probation officer of arrest, and failing to notify
10 his probation officer of a change in residence. (Dkt. 49.) Defendant was sentenced to time served,
11 plus supervised release for two years on the original conditions. (Dkt. 52.)

12 In an application dated June 2, 2006 (Dkt. 53), U.S. Probation Officer Burton E. Maroney
13 alleged the following violations of the conditions of supervised release:

14 1. Failing to submit to urinalysis testing as instructed, on February 8, 16, and 22,
15 2006; March 1, 23, 27 and 31, 2006; and April 5, 11, 20 and 25, 2006.

16 2. Failing to submit written monthly reports to the supervising probation officer for
17 the months of February, March, April and May 2006.

18 Defendant was advised in full as to those charges and as to his constitutional rights.

19 Defendant admitted the alleged violations and waived any evidentiary hearing as to
20 whether they occurred.

21 I therefore recommend the Court find defendant violated his supervised release as alleged,
22 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be

01 set before Judge Coughenour.

02 Pending a final determination by the Court, defendant has been detained.

03 DATED this 2nd day of November, 2007.

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05 Mary Alice Theiler
06 United States Magistrate Judge

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08 cc: District Judge: Honorable John C. Coughenour
09 AUSA: Bruce Miyaki
10 Defendant's attorney: Walter Palmer
11 Probation officer: Burton Maroney
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